

REMARKS/ARGUMENTS

Applicant has cancelled claims 8-9 without prejudice or disclaimer. Claims 1-7 remain in this application. Applicant requests reconsideration of this application in view of the amendment, and the following remarks/arguments.

Claim rejections -35 USC § 112

The Examiner has rejected claim 9 under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. In response, Applicant has cancelled claim 9. Accordingly the rejection is believed to be moot.

Claim rejections -35 USC § 103

A. The Examiner has rejected claims 1-3 under 35 U.S.C. 103(a) as being unpatentable over Reese et al. (US 2002/0141732) in view of Barton et al. (US 2003/0095791).

The following is a quotation of the appropriate paragraphs of 35 USC § 103(a) that forms the basis for these rejections:

(a)A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

In the Office Action dated December 11, 2006, regarding claim 1 the Examiner states that “Reese teaches: a. receiving a request to view content on a first hard disk recorder (Reese, paragraph 21). b. determining the requested content resides on a second hard disk recorder.” Office Action, Item 3, page 3. The Examiner further states that “Reese decodes video content, but does not expressly mention the encryption schemes.” Id. Applicant agrees with the Examiner that the claimed limitation is missing from Reese. The Examiner however, seems to find the missing limitation in Barton. Applicant notes that the Examiner appears to be mistaken in interpreting Applicant’s claim.

Applicant has amended claim 1 to more clearly specify the Applicant’s claimed invention. Applicant’s amended claim recites “within a first hard disk recorder: receiving a request to view content on a first hard disk recorder; determining the requested content resides on a second hard disk recorder when the requested content does not reside on the first hard disk recorder.” In contrast, Reese discloses a network of DVRCs, where, in response to a control signal issued by the master DVRC, the slave-mode DVRCs is programmed to transmit, display, and/or record the specified selection of video signals. Reese, paragraph [0020]. Reese does not disclose that any DVRC in the network of DVRCs is capable of determining if the requested content resides in itself and if the requested content does not reside in itself determining if the requested content resides in other DVRCs. Reese, on the other hand, discloses that one of the DVRCs operates in master mode and controls a slave-mode DVRC to transmit or display specified video signals. In Reese, each of DVRCs cannot transmit or display content on its own, unless directed by a master mode DVRC. Thus, Reese fails to disclose Applicant’s claimed limitation.

Further, Barton also fails to disclose this limitation. Barton discloses transferring media and database elements between two DVRs where one of the DVRs is a portable DVR. Barton, paragraph [0076]. However, Barton makes no mention of network of hard disk recorders where a first hard disk recorder receives a request to view content on the first hard disk recorder. Thus Barton fails to disclose Applicant's limitation.

Thus, Reese and Barton in combination, also fail to describe the claimed limitation as required by Applicant's amended claims. Thus, a rejection of claim 1 under 35 U.S.C. 103(a) is requested to be withdrawn. Reconsideration of the rejection of the claims 2-3, that add limitation to what is believed to be allowable claim, namely independent claim 1 respectfully requested.

B. The Examiner has rejected claims 4-7 under 35 U.S.C. 103(a) as being unpatentable over Reese et al. (US 2002/0141732) in view of Barton et al. (US 2003/0095791) and further in view of Asano et al. (US 2003/0051151).

The Examiner states that "Reese teaches: a. receiving content on a first hard disk recorder from a content source (Reese, paragraph 20-21). Reese decodes video content (Reese, paragraph 12), but does not expressly mention the encryption schemes." Office Action, Item 4a, pages 4-5. Applicant agrees with the Examiner that the claimed limitation is missing from Reese. The Examiner however, seems to find the missing limitation in Barton. Applicant notes that the Examiner appears to be mistaken in interpreting Applicant's claim.

Applicant's claim recites "...storing the content in a *shared* memory." In contrast Reese discloses that each DVRC may be adapted to transmit and/or display, stored

(previously recorded) video data. Reese, paragraph [0013]. However, Reese does not disclose storing the video data in a shared memory. Such a limitation is missing from Reese.

Further, Barton also fails to disclose this limitation. Barton discloses transferring media and database elements between two DVRs where one of the DVRs is a portable DVR. Barton, paragraph [0076]. However, Barton makes no mention of storing content in a shared memory. Thus Barton fails to disclose Applicant's limitation.

Thus, Reese and Barton in combination, also fail to describe the claimed limitation as required by Applicant's amended claims. Thus, a rejection of claim 4 under 35 U.S.C. 103(a) is requested to be withdrawn. Reconsideration of the rejection of the claims 4-7, that add limitation to what is believed to be allowable claim, namely independent claim 4 respectfully requested.

C. The Examiner has rejected claims 8 and 9 under 35 U.S.C. 103(a) as being unpatentable over Reese et al. (US 2002/0141732) in view of Bumgardner et al. (US 6,760,538).

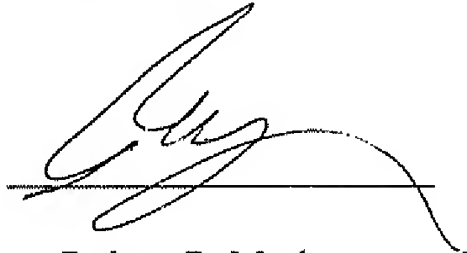
In response Applicant has cancelled claim 8. Accordingly the rejection is believed to be moot.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

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Respectfully submitted,

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